

TEMPORARY

No. 71297-T

TEMPORARY

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 07 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 1 1998 under 64073

The applicant **Robert W. Marshall and Nanette Marshall** hereby make application for permission to change the **Point of diversion, place of use and manner of use** of water heretofore appropriated under **Permit 64076**

1. The source of water is **Pradere Springs**
2. The amount of water to be changed **4 cfs**
3. The water to be used for **Irrigation and domestic**
4. The water heretofore permitted for **Municipal and domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ of NW $\frac{1}{4}$, section 33, T24N, R20E, MDM at a point from which the E $\frac{1}{4}$ corner of section 4, T23N, R20E MDM bears S28 degrees 22'28" E, a distance of 7,293.78 feet.**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NW $\frac{1}{4}$ section 33, T24N, R20E MDM or at a Point from which the E $\frac{1}{4}$ corner of section 4, T23N, R20E MDM bears S26 degrees 28'47" E, a distance of 7,381.48 feet.**
7. Proposed place of use **SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ all in section 33, T24N, R20E MDM.**
8. Existing place of use **See exhibit A attached**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Dams and ditches**
12. Estimated cost of works **in place**
13. Estimated time required to construct works **---**
14. Estimated time required to complete the application of water to beneficial use **2004 irrigation**
15. Remarks: **This Temporary application is for 2004 irrigation**

By **Robert W. Marshall**
s/Robert W. Marshall
2440 Holcomb Ranch Lane
Reno, NV., 89511

Compared sg/sam ag/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of the waters of Pradere Spings as heretofore granted under Permit 64076 is issued subject to the terms and conditions imposed in said Permit 64076 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Temporary Permits 71295-T, 71296-T, 71297-T, 71298-T, 71299-T, 71300-T and 71301-T shall not exceed 2589.0 acre-feet annually.

This permit allows the temporary reinstatement of the 4.0 acre-feet per acre annual duty established under Permit 28273. The duty established under Permit 64076 is unaltered by this temporary authorization and remains as described in the terms and conditions set forth under Permit 64076 upon expiration of this permit.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 31, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed 800.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

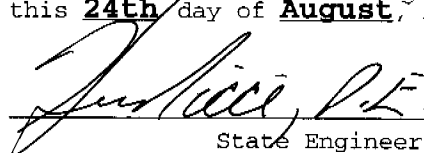
Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of August, A.D. 2004


State Engineer

EXPIRED

DATE DEC 31 2004

TEMPORARY

EXHIBIT "A"

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, all in T21N R19E MDM.

Section 36, T21N R18E MDM.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, all in T20N R19E MDM.

Sections 1 and 12 T20N R18E MDM.